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9
10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 ANDY UNG doing business as HIEP-
14 THANH MARKET,

15 Plaintiff,

16 v.

17 UNITED STATES OF AMERICA and
UNITED STATES DEPARTMENT OF
18 AGRICULTURE,

19 Defendants.

Case No. C 05-560 PJH

**STIPULATION REQUESTING
REMOVAL OF CASE FROM
MEDIATION PROGRAM AND
[PROPOSED] ORDER**

20 IT IS HEREBY STIPULATED and jointly requested, by and between the parties hereto,
21 through their undersigned counsel, that above-captioned action be removed from the Court's
22 Mediation Program. The parties stipulation and joint request is based on the following:

23 1. On May 20, 2005, pursuant a stipulation selecting an ADR process, the Court ordered that
24 this case be referred to Court-sponsored mediation.

25 2. On June 9, 2005, this Court held an initial case management conference. At the
26 conference, the parties jointly requested that the parties be relieved from the referral to mediation
27 because the parties expected the case to be decided on cross motions for summary judgment

28 STIPULATION AND [PROPOSED] ORDER
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1 without extensive litigation. The Court indicated at the conference that it would grant the
2 parties' request.

3 3. On June 24, 2005, the Court's ADR Case Administrator assigned a mediator to the case.

4 4. The parties now jointly seek an order relieving them from the referral to mediation.

5 DATED: July 28, 2005

Respectfully submitted,

6 KEVIN V. RYAN

7 United States Attorney

8
9 /s/
10 STEVEN J. SALTIEL
Assistant United States Attorney

11 DATED: July 28, 2005

12 LAW OFFICES OF ADAM G. SLOTE

13
14 /s/
15 ADAM G. SLOTE
Attorney for Plaintiff

16
17 ~~PROPOSED~~ ORDER

18 PURSUANT TO STIPULATION, AND GOOD CAUSE HAVING BEEN SHOWN, IT
19 IS HEREBY ORDERED that the ADR Case Administrator shall remove this case from the
20 mediation program, and the parties shall be relieved from the May 20, 2005 referral to mediation.

21
22 *For Jeffrey White*
23 HON. PHYLLIS J. HAMILTON
United States District Judge

24 DATED:

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26
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28 STIPULATION AND ~~PROPOSED~~ ORDER
No. C 05-560 PJH